

APPEAL NO. 041289
FILED JULY 13, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 20, 2004. The hearing officer determined that the appellant's (claimant) compensable injury of _____, does not include or extend to include reflex sympathetic dystrophy (RSD) or complex regional pain syndrome (CRPS) to the right upper extremity, nor a peripheral neuroma of the right forearm, and that the claimant did not have disability for the period from July 11 through August 19, 2003. The claimant appealed, arguing that the hearing officer's extent-of-injury and disability determinations are against the great weight and preponderance of the evidence. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable contusion to the right forearm on _____. At issue was whether the claimant's compensable injury sustained on _____, include RSD or CRPS to the right upper extremity, and/or a peripheral neuroma of the right forearm, and whether the claimant had disability for the period claimed. The issues of the extent of injury and disability were questions of fact for the hearing officer. Conflicting evidence was presented regarding the issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case, we conclude that the hearing officer's determinations on the appealed issues are supported by sufficient evidence and are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **NATIONAL FIRE INSURANCE COMPANY OF HARTFORD** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Veronica L. Ruberto
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Edward Vilano
Appeals Judge